

UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA

NOVELTY TEXTILE, INC., a California Corporation;

Plaintiff,

VS.

WINDSOR FASHIONS, INC., a California Corporation; XTAREN, INC., a California Corporation; and DOES 1 through 100, inclusive,

## Defendants.

**CASE NO.: CV12-5602-BRO (MANx)**

## **FINAL ORDER AND JUDGMENT**

Courtroom: 14—Spring St., Floor  
Judge: Hon. Beverly Reid O'Connell

1 Plaintiff Novelty Textile, Inc. (“Plaintiff”), having moved for summary judgment  
2 against Defendants Windsor Fashions, Inc. and Xtaren, Inc. (collectively,  
3 “Defendants”) on August 13, 2013, Hon. Beverly Reid O’Connell presiding, and  
4 the evidence presented having been fully considered, the issues having been duly  
5 heard, and the Court having granted the motion,

6  
7 IT IS HEREBY ORDERED AND ADJUDGED AS FOLLOWS:

8  
9 **Findings:**

- 10  
11 1. Plaintiff has established ownership of a valid copyright in the 1066 Design,  
12 as Plaintiff’s Certificate of Registration VA 1-728-356 is *prima facie*  
13 evidence of a valid copyright, and Defendants failed to rebut that  
14 presumption.
- 15  
16 2. Plaintiff’s 1066 Design and Defendants’ Infringing Garments are strikingly  
17 similar, and thus the only explanation for the similarity is that the Infringing  
18 Garments were copied from the 1066 Design.
- 19  
20 3. Plaintiff has requested statutory damages, and the Court finds \$15,000 as a  
21 reasonable statutory award in this case.

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1 Based on the above findings, JUDGMENT IS ENTERED against Defendants for  
2 all of Plaintiff's claims asserted in this action. Defendants Windsor Fashions, Inc.  
3 and Xtaren, Inc. are jointly and severally liable to Plaintiff for \$15,000 in statutory  
4 damages.

6 **IT IS SO ORDERED AND ADJUDGED.**

8 Dated: August 28, 2013

10 By:

11   
12 HON. BEVERLY REID O'CONNELL  
13 United States District Court Judge